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International Court of Justice

H4894 - 0002

C E R T I F I C A T E

I hereby certify that the annexed document — No. RF - 1405 is a photostat of an original document submitted in evidence by the ~~United States~~ French Prosecution under this number. The original document has been withdrawn in accordance with Rule 10 of the International Military Tribunal, and to the best of my knowledge and belief is to be held at the National Archives, Washington D.C. .

Paul Joosten

PAUL A. JOOSTEN

General Secretary
International Military
Tribunal

Nuremberg 20/8/48

H4894 - 0003

OFFICE OF CHIEF OF COUNSEL FOR WAR CRIMES

EVIDENCE DIVISION

Date: 20 | 8 | 48

I certify that Document Number — was introduced into evidence as Exhibit Number RF - 1405 in the Trial by the International Tribunal of Hermann GOERING, et al., which commenced on 20 November 1945, and that the attached photostat is a true and correct copy of the original.

Fred Niebergall

FRED NIEBERGALL
Chief, Document Control Branch

DCB-36 (102447)

732 PS

Der Reichsmarschall des Großdeutschen Reiches
Adjutantur
Adj.-Nr. 7685/44 g.Kdos.

Berlin W 8, den
Leipziger Str. 3
Fernsprecher: 120044
H.Qu., am 19. 6. 1944

Betr.: Behandlung der feindl. Terrorflieger.
Bezug: Dortiges Schreiben Nr. 771793/44 g.K. Chefs. II. Ang. WFST/Qu. (Verw. 1) vom 15. 6. 1944.

2 Ausfertigungen
1.Ausfertigung

An
den Chef
des Oberkommandos der Wehrmacht,
Herrn Generalfeldmarschall K e i t e l .

Herr Reichsmarschall hat zu obigem Schreiben vermerkt:

" Die Reaktion der Bevölkerung haben wir sowieso nicht in der Hand. Es muss aber tunlichst verhindert werden, dass die Bevölkerung auch gegen andere Feindflieger, für die sich nicht der obige Bestand ergibt, vorgeht. Obiger Tatbestand kann m. E. auch jederzeit durch ein Gericht behandelt werden, da es sich hier um Mordtaten handelt, die der Gegner seinen Fliegern verboten hat. "

I.V.

Oberstleutnant i. Genst.

3/ 91

INTERNATIONAL MILITARY TRIBUNAL
NUREMBERG, GERMANY
Exhibit RF 1405
Filed Jan 7, 1946
A 102981

H4894 – 0004

H4894 – 0005

TRIBUNAL MILITAIRE INTERNATIONAL
DES GRANDS CRIMINELS DE GUERRE

Délégation française au
Ministère Public
Réquisitoire individuel

Document nº 1405 R.F.

Lettre de l'Etat-Major du
Reichsmarschall
en date du 19 juin 1940 au
sujet des exécutions sommaires
d'aviateurs ennemis

Traduction du document 732-PS

INTERNATIONAL MILITARY TRIBUNAL
NURNBERG, GERMANY
Exhibit RF 1405
Filed Feb 7 1946

A 102982

H4894 – 0006

Der Reichsmarschall
des Grossdentschen Reiches
Adjutantur
Adj. N°I605/44 g.Kdos.

Berlin W8, le
Leipziger Str.3
Téléphone: I20044

Quartier Général le
I9-6-I940

OBJET: Traitement des Aviateurs terroristes ennemis.

Référence: Votre lettre N°77I793/44 g.K. Chefs II.Ang. WFST/Ru (Vern.I) du I5-6-I944

2 exemplaires
Ier Exemplaire

à

Monsieur le Maréchal KEITEL
Chef de l'Etat-Major Général de la Werhmacht

M. le Reichsmarschall a noté au sujet de la lettre ci-dessus indiquée ce qui suit :

" Nous ne sommes de toutes façons pas maîtres des réactions
" de la population. Il faut, toutefois, éviter, dans toute
" la mesure du possible, que la population se livre aux
" mêmes actes envers d'autres aviateurs ennemis, qui ne se
" trouveraient pas dans le cas indiqué ci-dessus.
"
" Les faits mentionnés peuvent, à mon avis, être jugés
" par un tribunal, car il s'agit de meurtres, que l'adver-
" saire a interdit de commettre à ses aviateurs.

Signé : TESKE (?)

Lieutenant-Colonal d'Etat-Major.

A 102983

H4894 – 0007

TRANSLATION OF DOCUMENT 732-PS
OFFICE OF U.S. CHIEF OF COUNSEL

The Reichsmarshall
of Germany
Adjutant's Office

Berlin W8 the
Leipziger Str. 3
Teleph 120044
Headquarters June 19, 1944

Adj. Nr. 1605/44 secret

Concerns: Treatment of the Enemy Terror Aviators.

Reference: Letter Nr. 771793/44 top secret II Ang. WFST/Qu. Command Staff of the Armed Forces/Supply.

(Verw. 1) June 15, 1944.

2 copies
Copy No. 1

To

The Chief
of the Supreme Command of the Armed Forces,
Generalfieldmarshall Keitel.

Mr. Reichsmarshall remarked to the above letter: "We cannot control the reaction of the population any way. Adequate precaution has to be taken that the populace does not react in the same manner against other enemy aviators not belonging to the category mentioned above. In my opinion facts of the above cases can be handled any time by a court, the acts being murder, forbidden by the enemy to its aviators."

Feske
Lieutenant Colonel in the General
Staff

3/91

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 732-PS

9 November 1945.

I, WOLFGANG E. THORMANN, M/Sgt, 33779426, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 732-PS.

Wolfgang E. Thormann
WOLFGANG E. THORMANN
M/Sgt, 33779426.

A 102984

H4894-0007A

RF- 1405

1405

H4894-0008

OFFICE OF U.S. CHIEF OF COUNSEL
FOR THE PROSECUTION OF AXIS CRIMINALITY

DOC. NO. 732-PS Date 27 September 1945

STAFF EVIDENCE ANALYSIS

DESCRIPTION OF ATTACHED DOCUMENT (Under following headings).

Title and Nature: Goering's letter to Keitel on lynching of certain Allied Fliers.

Date: 19 June 1944 Original (X) Copy ( ) Language: German

LOCATION OF ORIGINAL (also WITNESS if applicable) as of 27 September 1945

OCC Files Nurnberg.

SOURCE OF ORIGINAL: OKW Files Flensburg.

PERSONS IMPLICATED: HITLER, Adolf; JODL, Alfred; KEITEL, Wilhelm; WARLIMONT, Walter; GOERING, Hermann; HIMMLER, Heinrich; BORMANN, Martin.

REFERENCES TO INDEX HEADINGS: (Key to Par. nos. of Summary below):

ATROCITIES: Against military personnel: US: Others; CIVIL LIBERTIES AND OTHER RIGHTS: Criminal Law and Procedure, Changes in; POLICE: SD; WEHRMACHT: OKW: Air Force: OKL.

NECESSARY PROCESSING TO PUT IN EVIDENTIARY FORM; LEADS:

Document 731-PS & 729-PS.

SUMMARY OF RELEVANT POINTS (with page references):

1. Goering, in answer to Keitel's letter (Document 729-PS) expresses scruples on the issue of lynching of allied fliers. Indiscriminate lynching should be prevented; the specified acts (strafing of civilians etc.) could be tried in the courts since they constitute murder and are against the orders of the fliers.
2. Letter is signed by Lt. Col. Teske, GSC, initialled by Keitel (20 June) and Warlimont (22 June).

Analyst Hartman

Doc. No. 732-PS

1405

TRANSLATION OF DOCUMENT 732-PS
OFFICE OF U.S. CHIEF OF COUNSEL

The Reichsmarschall W / St / on

Berlin W8 the -14
Leipzigerstr. 3
Teleph. 12004
Head Quarters June 19.
1944

Adj. Nr. 1605/44 secret

Concerns: Treatment of the enemy terror aviators.

Reference: Statement Nr. 771793/44 top secret 11 Aug. WFST/Qu.
Command Staff of the
Armed Forces
(Verw.1) June, 15,1944 /Supply

2 Copies
copy No 1

To
the Chief
of the Supreme Command of the Armed Forces
Generalfieldmarshall Keitel

Mr. Reichsmarschall remarked to the above statement: We cannot control the reaction of the population any way. Adequate precaution has to be taken that the populace does not react in the same manner against other enemy aviators not belonging to the category mentioned above. In my opinion facts of the above cases can be processed any time by a court, the acts being murder, forbidden by the enemy to its aviators.

in Repr.
FESKE
Lieutenant Colonel in the
General Staff

3/91

CERTIFICATE OF TRANSLATION
OF DOCUMENT 732-PS

I, WOLFGANG E. THORMANN, M/Sgt 33779426, hereby certify that I am thoroughly conversant with the English and German languages and that the above is a true and correct translation of Document No. 732-PS.

WOLFGANG E. THORMANN
M/Sgt
33779426

H4894 – 0009

H-4894

1405

RF 1405

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732 PS

102980

H4894 – 0010

1023

H4894-0011

RF 1405